

Message Text

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ORIGIN L-03

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DRAFTED BY L/ARA:DAGANTZ

APPROVED BY L/ARA:DAGANTZ

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R 231618Z JAN 76

FM SECSTATE WASHDC

TO AMEMBASSY LIMA

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E.O. 11652: N/A

TAGS: BDIS, EINV, PE

SUBJECT: US CITIZEN CLAIM TO SHARES IN PERUVIAN COMPANIES

REF: LIMA 505

1. DAVID GANTZ IS PREPARED TO DISCUSS THE TRUTANIC MATTER WITH EMBASSY OFFICIALS WHEN HE RETURNS TO LIMA. IN THE MEANTIME, WE WOULD WISH TO AVOID GIVING TRUTANIC THE IMPRESSION THAT WE ARE UNWILLING TO PROVIDE HIM WITH APPROPRIATE ASSISTANCE. DEPT FULLY CONCURS WITH EMBASSY REQUIREMENTS THAT TRUTANIC SHOULD OBTAIN LEGAL COUNSEL TO ASSIST HIM. HOWEVER, WE ARE NOT AT THIS TIME CONVINCED THAT SOME LOW-KEY INTERCESSION WITH PERUVIAN OFFICIALS ON HIS BEHALF WOULD NOT BE APPROPRIATE. TRUTANIC'S INTERESTS WERE NOT COVERED BY THE GREENE AGREEMENT BECAUSE THAT AGREEMENT APPLIED ONLY TO 50 INTERESTS IN WHICH US CITIZENS HAD A 50 OR GREATER BENEFICIAL INTEREST. HOWEVER, USG INTERESTS AND RESPONSIBILITY REMAIN.

2. BASED ON TEXT OF FISHMEAL EXPROPRIATION DECREE AND EXPERIENCE OF OTHER COMPANIES UNDER IT, TRUTANIC IS PROBABLY

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CORRECT IN ARGUING THAT DECREE DOES NOT COVER SHARES OF

CALIFORNIA COMPANY. GANTZ WILL WISH TO DISCUSS ESPECIALLY

MR. TRUTANIC'S BASIS FOR CLAIMING THAT HE IS THE
BENEFICIAL OWNER OF SAN BLAS SHARES AND APPLICABILITY
OF EXCHANGE LAWS IN SUCH CASES. SISCO

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